

REMARKS

Applicant acknowledges with thanks the Examiner's indication that Claims 3-23 contain allowable subject matter if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph.

Claims 1-23 are now pending in the application. Claims 1-23 have been rejected by the Examiner. Claims 1, 3, 5-7, 10, 14 and 16 have been amended. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

The Examiner has objected to the drawings as failing to show each and every feature of the invention specified in the claims. Without commenting on the pending rejection, the language noted by the Examiner has been deleted from the amended claims. No new drawings have been added. Thus, reconsideration of this rejection is respectfully requested.

Claims 1-23 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner contends that it is unclear as to where in the specification it is disclosed that the filter is positioned "without adhering." In response to the Examiner's rejection, this language has been deleted from the amended claims. This amendment should not be considered as an admission as to whether the Examiner is or is not correct in rejecting the various claims under Section 112, first paragraph.

Claims 1-2 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by SU1653730 ('730). Claims 1-2 are also rejected under 35 U.S.C.

§102(b) as being clearly anticipated by JP8-252196. Reconsideration of these rejections is respectfully requested for the following reasons.

Each of the cited references discloses an air filter for removing dust contained in the air which is discharged from inside of the main body. However, neither of the references disclose a replaceable air exhaust filter and a filter chamber containing the air exhaust filter. Thus, neither of the references are sufficient to reject either claim 1 or 2, as amended, under 35 U.S.C. §102(b), or potentially Section 103(a).

In particular, SU1653730 discloses a filter 7 fixed in a bumper 11. However, the vacuum cleaner shown in the reference does not include a filter chamber containing a filter, such as the filter 11. Furthermore, the cited reference does not disclose any structure in the shape of a chamber for containing the air filter. Thus, the cited reference is both structurally and functionally distinct from the device recited in claims 1 and 2, as amended.

Similarly, JP 8-252196 discloses an air exhaust filter 11 fixed in an inner surface of a wheel cover 9 or 53. However, the disclosed vacuum cleaner does not include a filter chamber containing the air exhaust filter 11. In particular, the cited reference does not disclose any structure in the shape of a chamber for containing the air filter.

For at least these reasons, neither of the primary references teach or suggest an air exhaust filter replaceably contained in the filter chamber, as cited in the amended claims.

In view of the above, the undersigned submits that claim 1 and claim 2 are novel over the cited art, as amended. Thus, each of the remaining claims are now in condition for allowance. An early notice of allowance is earnestly solicited.

Conclusion

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants hereby petition for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1020.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By 

Terry L. Clark, Reg. No. 32,644
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

TLC/dab